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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/552,961

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Seong No Yoon

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EXAMINER

CORMIER, DAVID G

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

05/18/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/552,961	<b>Applicant(s)</b> YOON ET AL.	
	<b>Examiner</b> DAVID CORMIER	<b>Art Unit</b> 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02052009</u> .  | 6) <input type="checkbox"/> Other: ____.                          |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 12 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 12, which depends from Claim 8, recites that "the slot is formed along a lateral side of the damper pin," which is interpreted to be the same as the limitation of Claim 8, "to have a slot along a lateral side of a damper pin."

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5-7 and 8-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding Claim 5, the phrase, "hanging piece is provided...to prevent the damper pin from being separated," is indefinite because it is unclear if the hanging piece keeps the damper pin from separating from the damper, the cabinet, itself (i.e. keeps the pin from fracturing into multiple pieces), or something else entirely.

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5. Regarding Claim 8, the word "felter" is not defined in the specification and is not a term of the art such that one would be apprised of its meaning. It appears to mean "felt," and will be interpreted as such.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stadelmann et al. (USPN 5,230,229) in view of Hoffmann (GB 490,718).

9. Regarding Claims 1-8 and 12-15, Stadelmann discloses a drum type washing machine comprising:

a. a cabinet forming an exterior of the drum type washing machine (6);

- b. a tub provided within the cabinet (2);
  - c. a damper (11) having one end connected to the tub and the other end rotatably connected to the cabinet (Figure 3; col. 3, lines 14-17); and
  - d. a damper pin (Figure 6, part 26) having predetermined elasticity (the damper pin inherently has some amount of elasticity) and rotatably joining the damper to the cabinet (see Figure 3; col. 3, lines 18-27), where the damper pin has a slot along a lateral side of the damper pin (25) ; and
  - e. the damper pin has a hanging sill provided to one side of the damper pin (Figure 6, the leftmost portion of the damper to the left the left groove, 27) and a hanging piece provided to the other side of the damper pin to prevent the damper pin from being separated (Figure 6, the rightmost portion of the damper to the right of right groove, 27), where the hanging piece is formed as one body with the damper pin (See Figure 6) and has a predetermined elasticity (the hanging piece would inherently have some amount of elasticity).
10. Stadelmann does not expressly disclose that there is an elastic member (rubber or spring) having a predetermined elasticity (predetermined elasticity could mean any amount of elasticity) or a felter within the damper pin.
11. Hoffmann discloses a slotted hollow pivot for connecting relatively movable parts, where the pivot can be inserted in an uncompressed state (col. 2, lines 65-74), then tightened by inserting a material such as a spring steel (col. 3, lines 9-14). Figures 3-12 show examples of the slotted, hollow shell of the pivot, and Figures 13-19 show examples of inner tightening elements.

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12. Because it is known in the art to have a tightening member inserted into a pin, which connects movable parts, as in Hoffmann, and the results of the modification would be predictable, namely, an effective way of stiffening a pin after it has been inserted into a bore or pivot opening, it would have been obvious to one of ordinary skill in the art at the time of the invention to have all kind of tightening members, such as rubber, springs or felt, inserted into the pin of Stadelmann. The resulting damper pin with a rubber, felt, or spring interior would yield the claimed invention.

13. Regarding Claims 9-11, which are directed to having the felter being impregnated with a lubricant, such as oil or grease, it would have been obvious to one of ordinary skill in the art at the time of the invention to add a lubricant, such as oil or grease, to a movable joint of a washing machine, and it would be expected that at least a portion of the lubricant could spread through the slot and impregnate the felt, which would yield the claimed invention.

### ***Conclusion***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID CORMIER whose telephone number is (571) 270-7386. The examiner can normally be reached on Monday - Thursday 8:30 - 6:00.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/  
Supervisory Patent Examiner, Art  
Unit 1792

/DGC/  
David Cormier  
05/14/2009